



# FACSIMILE

DATE: December 3, 2004

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## COVER MESSAGE:

Per our conversation of today, and at your request, please find attached a copy of the Reply which was filed on May 10, 2004. Note: there is also a stamped copy of the postcard and express mail label. Also Note that the Advisory Action issued on June 16, 2004 refers to the Amendment filed on May 10, 2004.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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RECEIVED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Paper: Reply Pursuant to 37 CFR 1.116, in duplicate, with express mail sticker;  
Reply Pursuant to 37 CFR 1.116; return receipt postcard all sent via express mail  
label no EL 999293806 US

Applicant(s): Spreas  
Title: Stabilization Of Solid Drug Formulations  
Application No.: 09/690,974  
Filed: October 18, 2000  
Docket No.: MPCI-0031  
Date Sent: May 10, 2004  
Sent By: Caldwell/Timmings/Davies Return Card To Macton

MAY 13 2004

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Paper: Reply Pursuant to 37 CFR 1.116, in duplicate, with express mail  
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label no EL 999293806 US.

Applicant(s): Spreas  
Title: Stabilization Of Solid Drug Formulations  
Application No.: 09/690,974  
Filed: October 18, 2000  
Docket No.: MPCI-0031  
Date Sent: May 10, 2004  
Sent By: Caldwell/Timmings/Davies Return Card To M.

DOCKET NO.: MPCL-0031

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
**Spiridon Spireas**

Confirmation No.: 4371

Application No.: 09/690,974

Group Art Unit: 1616

Filing Date: October 18, 2000

Examiner: K.M. George

For: Stabilization Of Solid Drug Formulations

EXPRESS MAIL LABEL NO: EL 999293806 US  
DATE OF DEPOSIT: May 10, 2004

**EL999293806US**

☐ MS Non-Fee ☒ MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☒ A Reply Responsive to the Office Action Dated December 10, 2003.
- ☐ A Reply Supplemental to the Paper filed .
- ☐ A Substitute Specification (pages 1 - ) in clean form.
  - ☐ A substitute specification (pages 1 - ) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures .
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.

**DOCKET NO.: MPC1-0031**

**PATENT**

- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☐ Other
- ☐ No Additional Fee is Due.
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

DOCKET NO.: MPC1-0031

PATENT

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	28	42 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	7	9 (3 MINIMUM)	0	\$43 EACH	\$	\$86 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$420.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$420.00


- ☐ A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of \$420.00. This sheet is attached in duplicate.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of December 10, 2003 to and through Monday, May 10, 2004 comprising an extension of the shortened statutory period of two (2) month(s).

PATENT

DOCKET NO.: MPC1-0031

- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: May 10, 2004

  
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DOCKET NO.: MPC1-0031  
Application No.: 09/690,974  
Office Action Dated: December 10, 2003

PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Spiridon Spireas

Confirmation No.: 4371

Application No.: 09/690,974

Group Art Unit: 1616

Filing Date: October 18, 2000

Examiner: K.M. George

For: STABILIZATION OF SOLID DRUG FORMULATIONS

EXPRESS MAIL LABEL NO: EL 999293806 US  
DATE OF DEPOSIT: May 10, 2004

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated December 10, 2003, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☒ Amendments to the Specification begin on page 2 of this paper.
- ☒ Amendments to the Claims are reflected in the listing of the claims which begins on page 3 of this paper.
- ☐ Amendments to the Drawings begin on page        of this paper and include an attached replacement sheet.
- ☒ Remarks/Arguments begin on page 8 of this paper.